

**Enrolled Minutes of the Twentieth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/Hybrid)
Monday, September 28, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, September 28, 2020 at 6:30 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 20-41. Some persons were participating remotely on a Zoom platform that allowed for real time interaction, and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. All members of the Town Council participated in person, present on the premises of the plenary meeting room.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding. Once completed the Town Council moved to the full plenary meeting.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen offering a prayer reciting the Pledge of Allegiance to the Flag of the United States of America.

Roll Call Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained. All participated in person.

Additional Officials Present: John P. Reed, Town Attorney (electronically); Mark Knesek, Public Works Director (electronically); Pete Hojnicky, Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent(electronically); Kathy DeGuilio-Fox, Redevelopment Director (electronically); and Kenneth J. Mika, Building Commissioner were present.

Also present: Larry Kondrat (in person) and Ed Dabrowski IT (Contract) Director also of the Board of Waterworks Directors; Renee Reinhart and Jack Havlin of the Redevelopment Commission (in person) were also present.

Guests: Theresa Badovich of the Idea Factory was also present electronically.

Minutes of the Previous Meeting: Councilor Zemen moved the approval of the minutes of the regular plenary meeting of September 14, 2020. Councilor Black seconded, upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes were approved.

Comments from Visitors or Residents:

1. Larry Kondrat, Highland, inquired whether allocation area funds could be used for the added costs shown in Ordinance No. 1721, which if adopted would modify the current service bridging policy for workers.

There were no further public comments.

Communications:

The following communication from the Complete Count Committee for the Census was received as information.

**HIGHLAND 2020 CENSUS COMPLETE COUNT COMMITTEE
Town Council Staff Report- September 28th Meeting**

Current activities include the following: Social media posts and "Shares" by other Department's social media outlets. Highland's efforts did get mentioned in an article published by Main Street America, which can be found at <https://www.mainstreet.org/blogs/national-main-street-center/2020/09/14/main-spotlight-why-the-census-matters-on-main-stre>.

Highland households that have not responded should self-respond immediately, if they have not already done so, by going to 2020census.gov to respond online, respond by phone by calling 844-330-2020, by mail, or with a census worker.

The deadline for responding to the Census was to be September 30th, but yesterday a federal court judge in California ordered the extension of the Census count until October 31st. The Trump Administration is expected to appeal the ruling.

As for Highland's self-response rate, we are currently outperforming 2010 self-response rates town-wide and in five of Highland's six census tracts. I am trying to find, through our NW Indiana Census contacts, the total percentage household count to date for Highland, which would include those residents who self-responded to the Census and those who responded to an in-person Census worker visit. That data is available at the State and the various Area Census Office (ACO) levels, but not by individual town. Currently, Indiana is reported to have 99.2% of all households counted. The Lake County ACO is reporting 96.5% count completion. I will continue to seek out that information prior to the next staff report.

As of statistics obtained today (September 25th), a 2010/ 2020 comparison of self-response rates to date, shows as follows:

Entire Town- 2010 Final Self-Response Rate- 80.6 %
2020 To Date- 81.8% (+1.2%)

#405.01- 2010 Final Self-Response Rate - 74.4%
2020 To Date- 69.6% (-4.8%)- **A map of this Census Tract is part of my report.**

#405.02- 2010 Final Self-Response Rate - 80.5%
2020 To Date- 82% (+1.5%)

#406- 2010 Final Self-Response Rate - 77.3%
2020 To Date- 80.9% (+3.6%)

#407- 2010 Final Self-Response Rate - 83.7%
2020 To Date- 86.8% (+3.1%)

#408.01- 2010 Final Self-Response Rate - 84.2%
2020 To Date- 87.3% (+3.1%)

#408.02- 2010 Final Self-Response Rate - 83.7%
2020 To Date- 86.2% (+2.5%)

Unfinished Business and General Orders:

- 1. Proposed Ordinance No. 1721:** An Ordinance to Amend Chapter 3.20 of the Highland compensation and Benefits Ordinance, Particularly Amending the Provisions Regarding Bridging of Service.

It was noted that the language discussed in the Town Council study session of Monday, September 21, 2020 was captured in the proposed ordinance. The Clerk-Treasurer requested that the Town Council merely introduce it to allow its circulation among the department heads for feedback.

Councilor Herak introduced and filed Ordinance No. 1721. There was no further action.

2. **Enactment No. 2020-46:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

Councilor Herak introduced and moved the consideration of Enactment No. 2020-46 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2020-46 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland
APPROPRIATION ENACTMENT
ENACTMENT NO. 2020-46**

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a **grant** from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a special training grant of the **Indiana Department of Homeland Security** program, particularly represented on Clerk-Treasurer's receipt number 675214 in the amount of \$15,698.88 as reimbursement in support of training program;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the actual expenses of said municipality related to special training funded by **Indiana Department of Homeland Security** to reimburse the municipality for a portion of its actual expenses incurred by the training program and related costs the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

CORPORATION GENERAL FUND

Fire Department

Increase Account:

Acct. 001-0007-1114 Fire Fighter Training:	\$ 15,698.88
<i>Total 100 Series Increases</i>	\$ 15,698.88

Total of All Fund Increases: \$ 15,698.88

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 et seq.

Introduced and Filed on the 28th Day of September 2020. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th Day of September 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

3. **Works Board Order No. 2020-42: A Joint Order/ Resolution of the Board of Works and the Water Works Board of Directors Approving and Authorizing Change Order No. 2 to the Construction Contract between the Highland Water Works Board of Directors and Grimmer Construction, Inc. for the Robertson Pl. & Rosewood Ct. Water Main Replacement & Street Improvement Project.**

Councilor Black moved the passage and adoption of Works Board Order No. 2020-42. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2020-42

WATERWORKS DISTRICT OF HIGHLAND
BOARD OF WATERWORKS DIRECTORS
RESOLUTION NO. 2020-14

A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER WORKS BOARD OF DIRECTORS APPROVING AND AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT BETWEEN THE HIGHLAND WATER WORKS BOARD OF DIRECTORS AND GRIMMER CONSTRUCTION, INC. FOR THE ROBERTSON PL. & ROSEWOOD CT. WATER MAIN REPLACEMENT & STREET IMPROVEMENT PROJECT

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on Robertson Place (south of 81st Street) and Rosewood Ct. including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the Robertson Pl. and Rosewood Ct. Water Main Replacement & Street Improvement Project (Project);

Whereas, The Town of Highland has procured a Community Development Block Grant, from the U.S. Department of Housing and Urban Development through an application filing with the Lake County Community Development Department in the amount of \$102,130.00, which will offset the costs for the roadway improvements described herein;

Whereas, the Waterworks District of Highland (WW District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.;

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work;

Whereas, On May 28, 2020, the Waterworks District adopted Joint Resolution No. 2020-07 and on April 11, 2020, Town Council through its Board of Works, adopted Order of the Works Board 2020-28, awarding a Project to Grimmer Construction, Incorporated in the total amount of Five Hundred Thirty Thousand Five Hundred Thirty Dollars and 00/100 (\$530,530.00), to be the lowest responsive and responsible bid, of which Three Hundred Thirty-six Thousand One Hundred Three Dollars and 90/100 Cents (\$336,103.90) was for waterworks improvements;

Whereas, During the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities;

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 2, attached herewith, which details the changes and alterations to the Project which have a net decrease in the total contract amount of Ten Thousand Five Hundred Sixty-nine Dollars and 99/100 Cents (\$10,569.99);

Whereas, The decrease in cost, as determined by NIES, is allocated to the Board of Works in the amount of Four Thousand Five Hundred Ten Dollars and 95/100 Cents (\$4,510.95) and to the Water Works Board in the amount of Six Thousand Fifty-nine Dollars and 04/100 Cents (\$6,059.04);

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described; and

Whereas, The Waterworks District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described,

Now Therefore Be it Resolved by the Board of Directors of the Waterworks District of Highland, Lake County, Indiana, as follows:

Section 1. That the Second Addendum to the Construction Contract with Grimmer Construction, Incorporated for the Robertson Pl. & Rosewood Ct. Water Main Replacement & Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 2, issued to decrease net changes to the original agreement in the amount of Ten Thousand Five Hundred Sixty-nine Dollars and 99/100 Cents (\$10,569.99), bringing the total value of the entire agreement with any and all change orders approved to date to Five Hundred Forty-one Thousand Four Hundred Seventy-one Dollars and 26/100 (\$541,471.26) allocated as follows:

Board of Works	\$4,510.95
<u>Water Works District</u>	<u>\$6,059.04</u>
Total Change Order Amount	\$10,569.99; and

Section 3. That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that original being of Five Hundred Thirty Thousand, Five Hundred Thirty Dollars and 00/100 (\$530,530.00), pursuant to IC 36-1-12-18(d); and

Section 4. That the Public Works Director is hereby authorized to execute the necessary documents with his signatures.

Be it So Ordered.

Duly, Passed, Adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 28th day of September 2020 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 25th day of September 2020. Having been passed by a vote of 5 in favor and 0_ opposed.

**HIGHLAND WATERWORKS
BY ITS BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

Richard E. Volbrecht, Jr., Secretary

4. **Works Board Order No. 2020-43:** An Order Approving and Authorizing the Proper Officer to Enter into a Purchase Agreement with Dell Incorporated for Desktop Computers, Monitors, Software and licensing, further defining this as a Small Purchase under Section 3.05.060 (G)(2) of the Municipal Code.

Councilor Sheeman moved the passage and adoption of Works Board Order No. 2020-43. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2020-43**

AN ORDER APPROVING AND AUTHORIZING THE PROPER OFFICER TO ENTER INTO A PURCHASE AGREEMENT WITH DELL INCORPORATED FOR DESKTOP COMPUTERS, MONITORS, SOFTWARE AND LICENSING, FURTHER DEFINING THIS AS A SMALL PURCHASE UNDER SECTION 3.05.060 (G)(2) OF THE MUNICIPAL CODE.

Whereas, The Town of Highland is organized by departments, each with specialized duties ties to special training and competencies, and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of these several departments;

Whereas, The Town of Highland Metropolitan Police Department, the Public Works Department (Agency), Parks and Recreation Department, Fire Department, Building and Inspection Department, Redevelopment Department and the Office of the Clerk-Treasurer as part of their public duties, utilizes desktops computers as part of carrying out its public services and related duties in the Town of Highland;

Whereas, The IT Consultant has determined a need to obtain certain computer equipment and has secured a quote from Dell Incorporated for the purchase of twenty-five (25) Dell OptiPlex 5070 SFF XCTO Computers at the unit price of **\$911.89** each, in the total amount of **\$22,797.25, numbered as Quote 3000066815279.7;**

Whereas, The IT Consultant has further determined a need to obtain certain computer equipment and has secured a quote from Dell Incorporated for the purchase of four (4) Dell 24 Monitors at the unit price of **\$174.99** each, in the total amount of **\$699.96, numbered as Quote 3000066815279.7;**

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G) (2) of the Highland Municipal Code, expected that the purchase would be less than \$50,000 and therefore qualified as a small purchase allowing purchase in the open market;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) of the HMC serves as purchasing agency for the Police Department, the Fire Department, the Office of the Clerk-Treasurer and the Public Works Department (Agency);

Whereas, The amount of the purchase exceeds fifteen thousand (\$15,000) and, pursuant to Section 3.05.040 (C) and Section 3.05.050(B) of the HMC, requires the express approval of the purchasing agency;

Whereas, The Clerk-Treasurer, pursuant to Section 3.05.050 (D)(9) of the Highland Municipal Code, serves as the Purchasing Agent for the any department for which a purchasing agent is not expressly provided and for all executive departments of the municipality;

Whereas, The payment will be supported by approved existing appropriations in the Municipal Cumulative Capital Fund, pursuant to the requirements of IC 5-22-17-3(e) or another appropriate fund depending upon the department served; and,

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a purchase agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the proper officer is hereby directed and authorized to purchase twenty-five (25) Dell OptiPlex 5070 SFF XCTO computers at the unit price of **\$911.89** each, in the total amount of **\$22,797.25, numbered as Quote 3000066815279.7,** according to the standing retention and replacement schedules, to be used in the proper departments;

Section 2. That the proper officer is hereby further directed and authorized to purchase of four (4) Dell 24 Monitors at the unit price of **\$174.99** each, in the total amount of **\$699.96, numbered as Quote 3000066815279.7,** according to the standing retention and replacement schedules, to be used in the proper departments;

Section 3. That the proper officer is hereby directed and authorized to purchase the forgoing as a single order, in the total amount of **\$23,497.21** for the total purchase;

Section 4. That the Town Council as Works Board hereby finds and determines that this purchase is a qualified **small purchase** as the total purchase is below \$50,000, which permits purchases in the open market without inviting quotes from at least three vendors, all pursuant to Section 3.05.060 (G)(2) as well as IC 5-22 et sequitur;

Section 5. That the Town Council as Works Board further finds and determined there are sufficient and available appropriations balances on hand to support the purchase to the credit of the Municipal Cumulative Capital Development Fund, pursuant to IC 5-22-17-3(e);

Section 6. That the Clerk-Treasurer is authorized and directed to execute the purchase agreement and any additional documents in order to implement the purchase.

Be it So Ordered.

Duly, Passed, Adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 28th day of September 2020 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark J. Schocke, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

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A quote for your consideration.

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	3000066815279.7	Sales Rep	Fred Mack
Total	\$23,497.21	Phone	(800) 456-3355, 6180795
Customer #	7551098	Email	Fred_Mack@Dell.com
Quoted On	Sep. 16, 2020	Billing To	ACCOUNTS PAYABLE
Expires by	Oct. 16, 2020		TOWN OF HIGHLAND
Deal ID	20214408		3333 RIDGE RD
			HIGHLAND, IN 46322-2018

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
 Fred Mack

Shipping Group

Shipping To	Shipping Method
EDWARD DABROWSKI TOWN OF HIGHLAND 3333 RIDGE RD HIGHLAND, IN 46322-2089 (219) 838-1080	Standard Delivery

Product	Unit Price	Qty	Subtotal
OptiPlex 5070 SFF MLK	\$911.89	25	\$22,797.25
Dell 24 Monitor - P2419H	\$174.99	4	\$699.96

Subtotal:	\$23,497.21
Shipping:	\$0.00
Non-Taxable Amount:	\$23,497.21
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00
Total:	\$23,497.21

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Shipping Group Details

Shipping To	Shipping Method
EDWARD DABROWSKI TOWN OF HIGHLAND 3333 RIDGE RD HIGHLAND, IN 46322-2089 (219) 838-1080	Standard Delivery

Description	SKU	Unit Price	Qty	Subtotal
OptiPlex 5070 SFF MLK		\$911.89	25	\$22,797.25
Estimated delivery if purchased today: Oct. 05, 2020 Contract # C000000005600 Customer Agreement # NCPA 01-42				
OptiPlex 5070 SFF XCTO	210-ASDL	-	25	-
Intel Core i7-9700 (8 Cores/12MB/8T/3.0GHz to 4.7GHz/65W)	338-BRTC	-	25	-
Win 10 Pro 64 English, French, Spanish	619-AHKN	-	25	-
No Microsoft Office License Included – 30 day Trial Offer Only	658-BCSB	-	25	-
16GB (2x8GB) DDR4 non-ECC Memory	370-AEBG	-	25	-
M.2 256GB PCIe NVMe Class 40 Solid State Drive	400-BEUS	-	25	-
M.2 22x30 Thermal Pad	412-AAQT	-	25	-
M2X3.5 Screw for SSD/DDPE	773-BBBC	-	25	-
No Additional Hard Drive	401-AANH	-	25	-
Intel Integrated Graphics, Dell OptiPlex	490-BBFG	-	25	-
OptiPlex 5070 Small Form Factor (Bronze)	329-BEIQ	-	25	-
ODD Bezel, Small Form Factor	325-BCXP	-	25	-
8x DVD+/-RW 9.5mm Optical Disk Drive	429-ABFH	-	25	-
CMS Essentials DVD no Media	658-BBTV	-	25	-
Media Card Reader	385-BBOF	-	25	-
System Power Cord (Philippine/TH/US)	450-AAOJ	-	25	-
Chassis Intrusion Switch - SFF	461-AAEE	-	25	-
No Wireless LAN Card	555-BBFO	-	25	-
No Wireless Driver	340-AFMQ	-	25	-
No Stand Option	575-BBBI	-	25	-
No Additional Cable Requested	379-BBCY	-	25	-
No PCIe add-in card	492-BBFF	-	25	-
Black Dell KM636 Wireless Keyboard & Mouse	580-AIFH	-	25	-
Mouse included with Keyboard	570-AADI	-	25	-
No Cable Cover	325-BCZQ	-	25	-
SupportAssist	525-BBCL	-	25	-
Dell(TM) Digital Delivery Cirrus Client	640-BBLW	-	25	-
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	658-BBMR	-	25	-
Waves Maxx Audio	658-BBRB	-	25	-

Software for OptiPlex Systems	658-BEGP	-	25	-
Dell SupportAssist OS Recovery Tool	658-BEOK	-	25	-
No Media	620-AAOH	-	25	-
Not ENERGY STAR Qualified	387-BBCG	-	25	-
SERI Guide (ENG/FR/Multi)	340-AGIK	-	25	-
Dell Watchdog Timer	379-BDLB	-	25	-
Quick Setup Guide 5070 Small Form Factor	340-CMGC	-	25	-
US Order	332-1286	-	25	-
No UPC Label	389-BCGW	-	25	-
Trusted Platform Module (Discrete TPM Enabled)	329-BBJL	-	25	-
Ship Material for OptiPlex Small Form Factor	340-CDWZ	-	25	-
Shipping Label for DAO	389-BBUU	-	25	-
No CompuTrace	461-AABF	-	25	-
No Hard Drive Bracket, Dell OptiPlex	575-BBKX	-	25	-
SFF: EPA Regulatory LBL for Mexico	389-DQIU	-	25	-
No Intel Responsive	551-BBBJ	-	25	-
Intel(R) Core(TM) i7 Processor Label	340-CKVM	-	25	-
Desktop BTO Standard shipment	800-BBIO	-	25	-
No Anti-Virus Software	650-AAAM	-	25	-
Not selected in this configuration	817-BBBC	-	25	-
No Additional Video Ports	492-BCKH	-	25	-
No Dell Backup and Recovery software	637-AAAM	-	25	-
Intel Standard Manageability	631-ACDE	-	25	-
No AutoPilot	340-CKSZ	-	25	-
Custom Configuration	817-BBBB	-	25	-
No Optane	400-BFPO	-	25	-
No Additional Add In Cards	382-BBHX	-	25	-
No External ODD	429-ABGY	-	25	-
Dell Limited Hardware Warranty Plus Service	804-9043	-	25	-
Onsite/In-Home Service After Remote Diagnosis 3 Years	804-9044	-	25	-
			Qty	Subtotal
Dell 24 Monitor - P2419H		\$174.99	4	\$699.96
Estimated delivery if purchased today: Sep. 24, 2020 Contract # C00000005600 Customer Agreement # NCPA 01-42				
Description	SKU	Unit Price	Qty	Subtotal
Dell 24 Monitor - P2419H	210-AQDX	-	4	-
Dell Limited Hardware Warranty	814-5380	-	4	-
Advanced Exchange Service, 3 Years	814-5381	-	4	-
			Subtotal:	\$23,497.21
			Shipping:	\$0.00
			Estimated Tax:	\$0.00

Total: \$23,497.21

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

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In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

***Dell Business Credit (DBC):**

OFFER VARIES BY CREDITWORTHINESS AS DETERMINED BY LENDER. Offered by WebBank to Small and Medium Business customers with approved credit. Taxes, shipping and other charges are extra and vary. Minimum monthly payments are the greater of \$15 or 3% of account balance. Dell Business Credit is not offered to government or public entities, or business entities located and organized outside of the United States.

Customer agrees to accept delivery of its order within a reasonable amount of time from when the order is shipped.

5. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$15,677 in the Public Safety Income Tax Fund, in the amount of \$70, 410 in the Gaming Revenue Sharing Fund, and in the amount of \$3,000 in the Metropolitan Police Department of the Corporation General Fund.

Councilor Herak moved that the proper officer be authorized to publish the legal notice as described. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The proper officer was authorized as indicated.

NEW BUSINESS

The Town Council President, noting the significant number of persons in attendance at the meeting, suggested that a change of venue be considered for future meetings.

An informal colloquy ensued between and among the Town Council President, Councilor Herak and regarding the desirability of Lincoln Community Center or the Community Room of the Police department. It was determined to take this matter up for further consideration at the standing Study Session, October 5, 2020.

Comments from the Town Council:

(Good of the order)

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen acknowledged the Fire Chief who offered a survey of Fire Department activity. He further explained the actions taken to support public safety and social separation in the plenary meeting room. (Taped lines delineating six feet were in place in the meeting room.)

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison* • *Public Works Liaison.*

Councilor Herak acknowledged the birthdays of Public Works Director Emeritus John M Bach and Idea Factory Principal, Robin Carlascio.

Councilor Herak also noted the recent death of Ilse J. Kokinda, the fifth Highland Deputy Clerk-Treasurer and expressed condolences to the family.

Councilor Herak acknowledged the Police Chief, who reported on the status of an imminent fundraiser to be hosted at the Blue Top Drive In Restaurant, 8801 Indianapolis Boulevard, Highland.

Councilor Herak acknowledged the Public Works Director who offered a survey regarding the resurfacing work underway by way of the Community Crossings Grant. He further reported on work underway by the Sanitary District regarding the project dealing with 3400 block of Laverne Drive flooding.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Board of Waterworks Directors.*

Councilor Black inquired about the status of any enforcement or work on a site located at the southwest corner of the intersection of Kleinman Road and Ridge Road.

Councilor Black inquired about the leaf collection service and when it was starting for the season. The Public Works Director stated that the planned start was October 5.

- **Councilor Roger Sheeman:** *Chamber of Commerce Liaison* • *Liaison to the Community Events Commission* • *Information Technology Liaison* • *Redevelopment Commission Liaison* • *Tree Board liaison.*

Councilor Sheeman reported on the Main Street Bureau project for a Restaurant Crawl on Tuesday, September 29, 2020. It was noted that many down restaurants were participating and offering discounts or specials. The Redevelopment Director listed some of the restaurants and some of the specials being offered.

- **Councilor President Mark Schocke:** *Town Executive* • *Chair of the Board of Police Pension Trustees* • *Park and Recreation Liaison.*

The Town Council President commended the idea of the restaurant crawl.

The Town Council President represented that he was in possession of a petition signed by 2,200 persons seeking to overturn the rezoning or curtail the senior housing project on the site north of Strack and Van Til, between Kleinman Road and Cline Avenue, on property owned by Griffland Corporation and in the course of a sale to Russell group as developer. The petition was not filed with the municipal clerk.

The Council President acknowledged the Parks and Recreation Superintendent who offered a survey regarding forthcoming recreation programming and that the Pumpkin Plod was still planned for Thanksgiving Day.

Comments from Visitors or Residents:

1. Renee Reinhart, Highland, referencing the proposed senior housing project, inquired about the nature of the incentives being offered to the prospective developer and asked if there was a limit in any such incentive.

It was noted that the only incentive that has been approved are those associated with improvements to the private road styled as "Ernie Strack Drive", and accepting it as a public way.

2. Larry Kondrat, Highland, expressed his understanding of a financial amount discussed at a recent meeting. Mr. Kondrat also inquired about the incentives for the Cardinal Campus Project. It was noted that the amount of the bonds to be issued for that project was fixed at \$16 million based upon the project at full construction, with only \$5.8 million in bonds issued in first phase.
3. Aaron Straker, Highland, urged the Town Council to listen to the people and vote against the development being proposed.
4. Kathy Kepchar, Griffith, questioned the rezoning and the decision not to wait for the allowable 90 days for action to be taken by the Town Council as provided in Plan Commission law.

With leave from the Town Council, a colloquy ensued between Councilor Herak, Councilor Sheeman and Town Council President Schocke regarding the determination to improve Ernie Strack Drive, and estimated costs associated with sewer line connections for the development.

5. Ryan Miller, Highland, responding to a statement of the Town Council President indicating that a meeting was convened of members of the Town Council with the developer, asked whether and where such a meeting occurred.

It was revealed that such a meeting took place following a recent plan commission meeting and it was convened at the home of Councilor Zemen.

6. Frank Kalvaitis, Lowell, asked whether such a meeting with the developer and the members of the Town Council was unlawful.
7. Larry Kondrat, Highland, asked about the appropriateness of conducting negotiations at the Councilor's home.
8. Gina Miller, Highland, challenged Councilor Sheeman regarding what she perceived as a change of position on the issue of the Senior Development from that represented in his campaign.

Councilor Sheeman stated that he preferred other sites for the development as well but noted that one such as the site of the former Ultra Grocery Store, 8401 Indianapolis Boulevard, Suite 3, was too costly.

9. Jack Havlin, Highland, asked whether the site at the southwest corner of the intersection of Ridge and Kleinman Roads (the former Hansen's) was in an allocation

area. He suggested that there should be more work on keeping up the existing buildings.

10. Kate Helpin, Griffith, asked whether residents could address this proposed development in the same way as the referendum conducted for Lincoln Community Center. Ms. Helfin further asked whether any funds were being given to the developer.

The Town Council President noted that the referendum law did not apply in this case as the Lincoln Community Center involved a financing over the statutory controlled threshold.

11. Renee Reinhart, Highland, asked why the Town Council voted on the rezoning as it did rather than scheduling it during the course of the 90 days as it was allowed.
12. Julie Matthews, Schererville, asked about the sufficiency of the notice of the special meeting of August 31, at which the Town Council acted to approve the favorable recommendation of the Plan Commission. She further asked if the action at the meeting could be undone if the meeting was found to be illegal.
13. David Mazur, Highland, asked if anything was promised of value to move the matter of the rezoning forward as it was. Councilors Herak and Zemen and Sheeman all stated nothing was promised.
14. Mary _____, _____, urged the Town Council not to allow the development.
15. Angie Soboniak, Highland, asked about the number of meetings the developer may have conducted with the Town Council members.
16. Janelle Scheeringa, Highland, asked whether the clerk-treasurer was invited to the meeting to which Councilor Zemen referred earlier.

The clerk-treasurer was not invited nor did he attend any such meeting it was noted.

Ms. Scheeringa inquired whether the Town Council would use eminent domain. Councilor Schocke and Councilor Sheeman expressly stated that they did not favor its use.

Ms. Scheeringa further inquired regarding the prospective plans to extend 43rd Street from its current location through property identified as part of the project. Ms. Scheeringa noted that the proposed public way if permitted would adjoin her current barn. Ms. Scheeringa stated that she would deny such a use.

17. Stephanie Smith, Griffith, questioned Councilor Sheeman regarding her understanding of the Councilor's representations during the campaign regarding his opposition to tax incentives for the development.

Councilor Sheeman indicated that he was referring to tax abatements.

18. John Vanik, Highland, asked the Councilors who voted for the rezoning whether they believe a majority of the people of Highland favored this.

Councilors Zemen and Sheeman stated that they believed that a majority of the town did favor this project.

A colloquy between and among Councilor Sheeman and some of the visitors in the meeting emerged regarding a reference by the councilor to an article in the monthly newsletter from August 2018 in which Don Scheeringa was quoted as saying that the project would not affect his business. Janelle and Janine Scheeringa objected to the reference and expressed their belief that the comment was attributable to the developer's attorney. The colloquy further regarded the status of the current services at the Scheeringa farm such as the hay rides and the "u-pick" option.

19. Frank Kalvaitis, Lowell, inquired about visits that Councilor Zemen was believed to have made to Iowa regarding the proposed senior development and the offices of the developer, Russell. Mr. Kalvaitis asked about Mr. Zemen's expenses and whether the developer paid.
20. Ryan Miller, Highland, asked regarding what due diligence that the Town may have performed regarding the developer. He further asked whether this could have been done before voting on the rezoning.

The Town Attorney, with leave from the Town Council, indicated that the rezoning was favorably recommended by the Plan Commission. So, that if the Town Council did not act within the ninety day period, the rezoning would have gone into effect.

21. Mike Maloney stated his belief that the meeting with the developer at Councilor Zemen's home and his trip to Iowa when an example of the kinds of facility constructed by the developer was in Batavia, Illinois, was not ethical.

Mr. Maloney further expressed disapproval for the distinction Councilor Sheeman suggested between tax abatements and other tax incentives.

23. Jim Raymond, Highland, spoke about his choice for living in Highland and his support for the preservation of the Scheeringa Farm.
24. Jeff Harlin, Highland, speculated as to the business life of senior housing, which he suggested was serving the "baby boomer" generation. He wondered about the disposition of the venture when the boomers were all gone.
25. Julie Matthews, Schererville, asked what must be done to undo the rezoning.

With leave from the Town Council, the Town Attorney stated that he would need to review the statute and determine what if any steps could be taken to undo the rezoning.

26. Janelle Scheeringa read a note from Rene Reinhart in which they stated contained an offer from the Farm Bureau of Indiana to support the Scheeringa effort.
27. Mike Maloney asked about the next steps in the process.

The Town Council President noted that he would support the Scheeringa's.

28. Dave Marcusik, Highland, asked whether this matter could be placed on referendum of the Town.

It was noted that under Indiana law, there are limited circumstances in which referenda may be conducted, among them whether to approve a gaming license initiative, certain financings such as Lincoln center, whether to remove a municipal utility from IURC regulation, incorporation as a town, and a modernization of government plan. There was no home rule ability to conduct a formal referendum.

29. Joe Scheeringa, Highland (remote via the Zoom Platform), asked about property south of 45th Avenue that may have been purchased for the public works facility and whether it might be more suitable for the proposed development.

It was noted that the land was not purchased by the Town.

30. Harold Barlow, _____ (remote via the Zoom Platform), asked why the Scheeringa's were not granted an opportunity to gather the money needed to buy the subject property.

It was noted that the purchase was initiated as private offer from the developer to the owner, Griffland Incorporated.

A colloquy ensued between and among the Town Council President and Councilor Herak regarding whether the Town Council President was aware of the pending development previously based upon the date of the monthly newsletter sent along with monthly utility invoices and its feature story regarding the proposed senior housing development in August 2018 of the pending development. The Town Council President stated he was not aware then.

31. Aaron Straker, Highland, asked the councilors who voted for the rezoning to share the reasons for their support of the development.

Councilor Herak stated that he supported the addition to the tax base and the estimated \$1.5 million in salaries that would occasion the development.

Councilor Sheeman stated the addition of 80-100 full-time jobs and the addition to tax base. He also suggested that during construction there would be union jobs involved. He further suggested the new sewage fees coming from both the senior center and Strack and Van Tils, not currently connected to the Town sewage system.

32. Kate Helpin, Schererville, inquired about the construction and how many phases would comprise the full development.

33. Julie Matthews, Schererville, asked Councilor Black why he didn't second the amendments attempted by Councilor Schocke at the special meeting of August 31.

Councilor Black stated that he opposed the project. Councilor Black did not believe that the filibuster was not positive and was divisive.

34. Gina Miller, Highland expressed her belief that the Town Council did not represent her view.

35. Larry Kondrat, Highland, mentioning the Flying J/Pilot Corporation and noting its being owned by Berkshire/Hathaway, he expressed his opposition to any public financial support for the development.

36. Janelle Scheeringa, Highland, expressed her belief that the apartments formerly known as the Mansards in Griffith, now styled Park West, had its origins as a senior center.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period September 15, 2020 through September 28, 2020. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers

for the vendor docket were allowed, payroll docket and other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$24,101.03; Motor Vehicle Highway and Street (MVH) Fund, \$2,845.34; Law Enforcement Continuing Education, Training, and Supply Fund, \$897.85; Information Communications Technology Fund, \$5,660.04; Solid Waste Management District Grant Fund, \$4,697.00; Special events Non Reverting Fund, \$600.00; Traffic Violations and Law Enforcement Agency Fund, \$5,500.00; Gaming Revenue Sharing Fund, \$90,906.55; Public Safety LIT Fund, \$4,981.61; Total: \$140,189.42.

Payroll Docket for payday of September 11, 2020:

Council, Boards and Commissions, \$8,647.31; Office of Clerk-Treasurer, \$16,203.66; Building and Inspection Department, \$8,593.01; Metropolitan Police Department, \$133,920.86; Fire Department, \$3,575.12; Public Works Department (Agency), \$62,846.80 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$225,139.45.

Adjournment of Plenary Meeting. There being no further business before the Town Council, agenda having been completed, Councilor Zemen moved to adjourn and Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The regular plenary meeting, convened electronically, of the Town Council of Monday, September 28, 2020 adjourned at 9:57 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer

Approved by the Town Council at its meeting of _____, 2020.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer